

# **GUIDE TO COMMERCIAL AND INDUSTRIAL REAL ESTATE DEVELOPMENT IN THE TOWN OF FARMINGTON**

## **Introduction**

The purpose of this guide is to provide a succinct overview of the land use regulation system within the Town of Farmington. This guide is not intended to function as a substitute for a thorough review of all development regulations including the Farmington Zoning Regulations.

The Town of Farmington is divided into eleven residential zones, a total of seven commercial and industrial zones and a flood protection zone. The PR, BR, B1 and UC zones are designated as the three commercial zones while the CR, C1 and EE zones are designated as industrial zones.

The specific use of a parcel of land, building or structure is permitted by the grant of a special permit from the Town Plan and Zoning Commission. This system of land use regulation permits zoning authorities to control the establishment of uses on a parcel by parcel basis. Uses permitted by special permit are listed in the Zoning Regulations under each zoning district heading.

Farmington has adopted a “permissive” zoning system. This means that if a use is not specifically listed in the Zoning Regulations it is not permitted to be established anywhere in the Town. If a property owner wishes to establish a use not currently listed in the Zoning Regulations, such party may submit an application to the Town Plan and Zoning Commission to add the use to a particular zoning district.

## **Standards for Granting of a Change of Zone or Special Permit**

In considering these types of applications the Town Plan and Zoning Commission must make the following findings:

1. That the existing and future character of the neighborhood in which the zone and/or use is to be located will be protected;
2. That adequate safeguards have been taken to protect adjacent property and the neighborhood in general from detriment;
3. That traffic circulation within the site and the amount, location and access to parking is adequate, and adequate sight distance is provided for all proposed and existing driveways;
4. That the road network, to include intersections, impacted by the proposed development will be capable of satisfactorily handling the increased traffic generated by such use;
5. That the i) basic design of the proposed use(s) or buildings; ii) relationship between the buildings and the land; iii) overall physical appearance of the proposed uses(s) or buildings will be in general harmony with the character of the surrounding neighborhood and will not serve to blight or detract from abutting residences or other property;
6. That adequate safeguards have been taken to protect the natural environment;

7. That all required public services will be reasonably available to serve the proposed development; and

While the specific time it takes to process each application varies, historically decisions are rendered 30 to 60 days from the date of submission.

Prior to presenting an application to the Town Plan and Zoning Commission it is strongly recommended that the prospective applicant meet with representatives from the Planning Office. The Town's professional planning staff can provide assistance with application preparation as well as offering guidance in site plan design and the development of supporting documents.

Development proposals may also be discussed informally with the Town Plan and Zoning Commission at one of its monthly workshop sessions. This informal meeting must occur prior to the actual submission of an application. While the Commission cannot provide an endorsement of a project, members can provide a valuable list of observations and concerns.

### **Developing a Building Proposal for Vacant Land**

Before proceeding with a plan to develop a vacant or predominantly vacant site for commercial or industrial purposes, one should consult the current Plan of Conservation and Development of the Town of Farmington. This document, which is available at the Planning Office and the Main Library, provides a list of specific guidelines for the development and preservation of many sites within the Town. The official Zoning Map must also be checked for the current zoning designation of the parcel.

Other documents that may disclose building limitations for a particular site include the Inland Wetlands and Watercourses Map and the Flood Insurance Rate and Floodway Maps. The presence of wetlands soils or flood prone areas may severely reduce the development potential of a parcel of land or add significant costs to building construction.

Zoning restrictions that primarily govern a site's development potential include on site parking standards, site coverage restrictions and building or landscape yards. The Zoning Regulations stipulate that no more than 40% of a site (in other than the UC zone) may be covered by impervious surfaces including parking areas, driveways, sidewalks and building footprints. This percentage may be increased to 50% by the grant of a waiver by the Commission. Under the special permit review process the Commission can reduce the scope of a development proposal if the submitted project fails to satisfy the standards presented earlier in this guide.

The location and adequacy of utilities should be reviewed with particular attention to availability of water to ensure an adequate supply for fire protection as well as domestic use. The zoning regulations specify minimum standards for fire protection commensurate with the size and construction type of a proposed building. Automatic sprinkler systems are required in most cases.

Applications for a special permit involving new construction must be accompanied by a site plan. This drawing that is customarily developed by a land surveyor and civil engineer contains

an array of information including site boundary and topographic data location and layout of all existing and proposed improvements as well as landscaping. A checklist containing all requirements for the preparation of a site plan is available as part of the Zoning Regulations.

### **Existing Construction**

Prior to occupying an existing building an inquiry should be made to the Planning Office (phone 860-675-2325) to see whether a special permit would be required for the use of the building. The Zoning Regulations state that changes in use outside of the same use category require the receipt of a new special permit. Even in cases where the same use category is maintained in an industrial zone, changes in the operation may trigger a review by the Town Plan and Zoning Commission.

Any alteration to the outside of a building or to the property may require the review and approval by the Commission. This would include changes such as the addition of outdoor storage or installation of a satellite dish. Questions should be directed to the Planning Office for a determination by the Zoning Enforcement Officer.

Building additions that expand the square footage of business operations such as sales, office or production areas will always require an application for special permit. Examples of building extensions not requiring a special permit include such accessory spaces as cafeterias and lavatories.

In a situation where more than 40% of a site is covered with impervious surfaces, an application for building expansion may be made if the overall percentage of impervious surface remains the same or decreases unless a waiver is granted by the Commission for an increase not to exceed 50%.